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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/651,243	08/30/2000	RICHARD REISMAN	1311.1300	1384

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EXAMINER

ALI, MOHAMMAD

ART UNIT	PAPER NUMBER
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2177

9

DATE MAILED: 05/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

FORMAL DRAWING
CORRECTION REQUIRED
FILED

01311-001300
DAS
7/29/03-9/29/03
6/4/03, pw

Office Action Summary

Application No.

09/651,243

Applicant(s)

REISMAN, RICHARD

Examiner

Mohammad Ali

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 22-38 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 August 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. This communication is responsive to the amendment filed on March 25, 2003, Paper No. 8.

Response to Arguments

2. Claims 1-21 are pending in this Office Action. Claims 22-38 have been cancelled without prejudice.

After a further search and a thorough examination of the present application, claims 1-21 remain rejected.

Applicant's arguments with respect to claims 1-21 have been considered, but they are not deemed to be persuasive.

First, Applicant argues that Herz does not teach, 'means for storing cumulative feedback data gathered from multiple users during previous operations of the apparatus and segregated in accordance with the plurality of task/domain'.

In response to Applicant's arguments, the Examiner respectfully submits that in particular, Herz teaches this limitation as, user's interest in each target object identify the greatest interest to the user and filtering the users feedback data. The feedback data is stored in long-term is summarized from, as a part of database of user feedback information. The interest is assessing in a document via passive feedback in a domain and this feedback is separated (segregate) as of scale 0 to 10 (col. 17, lines 30-49 et seq). Hence, Applicants arguments do not distinguish the claimed invention over the prior art of record.

Second, Applicant argues that Herz does not teach, 'digital storage device'.

Art Unit: 2177

In response to Applicant's arguments, the Examiner respectfully submits that in particular, Herz teaches this limitation as, the target object consist entirely of text document and digitally stored on the data storage devices within the computer network (col. 9, lines 9-11, Fig. 2 et seq). Hence, Applicants arguments do not distinguish the claimed invention over the prior art of record.

Third, Applicant argues that Herz does not teach, 'iteration of stored feedback data'.

In response to Applicant's arguments, the Examiner respectfully submits that in particular, Herz teaches this limitation as, feedback data from the users is collected or stored and iterated over the period of time (col. 3, lines 48-54 et seq). Hence, Applicants arguments do not distinguish the claimed invention over the prior art of record.

In light of the forgoing arguments, the 102 rejections have been sustained.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6,460,036 B1 issued to Frederick S. M. Herz ("Hertz").

As to claim 1, Herz discloses, an apparatus for responding to a current user command associated with one of a plurality of task/domains (col. 1, lines 19-43 et seq).

Art Unit: 2177

In particular, Herz teaches, "means for storing cumulative feedback data gathered from multiple users during previous operations of the apparatus and segregation in accordance with the plurality of task/domains" as user's interest in each target object identify the greatest interest to the user and filtering the users feedback data. The feedback data is stored in long-term is summarized from, as a part of database of user feedback information. The interest is assessing in a document via passive feedback in a domain and this feedback is separated (segregate) as of scale 0 to 10' at col. 17, lines 30-49 et seq. "means for determining the current task/domain with which the current user command,..." taught by Herz at col. 19 lines 49-58. "means for determining a current response to the current user command,..." taught by Herz at col. 19 lines 49-65. "means for communicating to the user the current response" taught by Herz at col. 40 lines 56-58. "means for receiving from the user current feedback data,..." taught by Herz at col. 40 lines 56-67. wherein the current feedback data is added to the cumulative feedback data stored,..." taught by Herz at col. 40 lines 56-67.

Claims 7 and 12 have same subject matter as of claim 1 and essentially rejected as discussed in the rejection of claim 1.

Claim 17 have same subject matter as of claim 1, 7, and 12 except "digital storage device" and Herz teaches at col. 9 lines 1-11 and essentially rejected as discussed above in the rejection of claim 1.

As per claim 2, "current task/domain determining means determines the current user task/domain by asking the user" taught by Herz at col. 19 lines 49-58.

Art Unit: 2177

As per claim 3, "current task/domain determining means determines the current user task/domain by inferring the current user,..." taught by Herz at col. 19 lines 49-58.

As per claim 4, "the apparatus is a server on a wide area network" taught by Herz at col. 78 lines 28-29. "the commands from the user comprise one of a search term for a discovery (col. 74 lines 18-21) searching task/domain,...." taught by Herz at col. 7 lines 57 to col. 8 lines 9. "the current task/domain determining means determines which of the task/domains is currently intended by asking the user" taught by Herz at col. 19 lines 49-58.

As per claim 5, "the apparatus is a server on a wide area network" taught by Herz at col. 78 lines 28-29. "the commands from the user comprise one of a search term for a discovery (col. 74 lines 18-21) searching task/domain,...." taught by Herz at col. 7 lines 57 to col. 8 lines 9. "the current task/domain determining means determines which of the task/domains is currently intended by asking the user" taught by Herz at col. 19 lines 49-58.

As per claim 6, "the apparatus is a server on a wide area network" taught by Herz at col. 78 lines 28-29. "the commands from the user comprise one of a search term for a discovery (col. 74 lines 18-21) searching task/domain,...." taught by Herz at col. 7 lines 57 to col. 8 lines 9. "the current task/domain determining means determines which of the task/domains is currently intended by asking the user" taught by Herz at col. 19 lines 49-58.

As per claim 8, "current task/domain determining means determines the current user task/domain by asking the user" taught by Herz at col. 19 lines 49-58.

Art Unit: 2177

As per claim 9, "current task/domain determining means determines the current user task/domain by inferring the current user,..." taught by Herz at col. 19 lines 49-58.

As per claim 10, "the apparatus is a server on a wide area network" taught by Herz at col. 78 lines 28-29. "the commands from the user comprise one of a search term for a discovery (col. 74 lines 18-21) searching task/domain,..." taught by Herz at col. 7 lines 57 to col. 8 lines 9. "the current task/domain determining means determines which of the task/domains is currently intended by asking the user" taught by Herz at col. 19 lines 49-58.

As per claim 11, "the apparatus is a server on a wide area network" taught by Herz at col. 78 lines 28-29. "the commands from the user comprise one of a search term for a discovery (col. 74 lines 18-21) searching task/domain,..." taught by Herz at col. 7 lines 57 to col. 8 lines 9. "the current task/domain determining means determines which of the task/domains is currently intended by asking the user" taught by Herz at col. 19 lines 49-58.

As per claim 13, "current task/domain determining means determines the current user task/domain by asking the user" taught by Herz at col. 19 lines 49-58.

As per claim 14, "current task/domain determining means determines the current user task/domain by inferring the current user,..." taught by Herz at col. 19 lines 49-58.

As per claim 15, "the apparatus is a server on a wide area network" taught by Herz at col. 78 lines 28-29. "the commands from the user comprise one of a search term for a discovery (col. 74 lines 18-21) searching task/domain,..." taught by Herz at col. 7 lines 57 to col. 8 lines 9. "the current task/domain determining means determines which of

Art Unit: 2177

the task/domains is currently intended by asking the user" taught by Herz at col. 19 lines 49-58.

As per claim 16, "the apparatus is a server on a wide area network" taught by Herz at col. 78 lines 28-29. "the commands from the user comprise one of a search term for a discovery (col. 74 lines 18-21) searching task/domain,...." taught by Herz at col. 7 lines 57 to col. 8 lines 9. "the current task/domain determining means determines which of the task/domains is currently intended by asking the user" taught by Herz at col. 19 lines 49-58.

As per claim 18, "current task/domain determining means determines the current user task/domain by asking the user" taught by Herz at col. 19 lines 49-58.

As per claim 19, "current task/domain determining means determines the current user task/domain by inferring the current user,..." taught by Herz at col. 19 lines 49-58..

As per claim 20, "the apparatus is a server on a wide area network" taught by Herz at col. 78 lines 28-29. "the commands from the user comprise one of a search term for a discovery (col. 74 lines 18-21) searching task/domain,...." taught by Herz at col. 7 lines 57 to col. 8 lines 9. "the current task/domain determining means determines which of the task/domains is currently intended by asking the user" taught by Herz at col. 19 lines 49-58.

As per claim 21, "the apparatus is a server on a wide area network" taught by Herz at col. 78 lines 28-29. "the commands from the user comprise one of a search term for a discovery (col. 74 lines 18-21) searching task/domain,...." taught by Herz at col. 7 lines 57 to col. 8 lines 9. "the current task/domain determining means determines which of

Art Unit: 2177

the task/domains is currently intended by asking the user" taught by Herz at col. 19 lines 49-58.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

6. Any inquiry concerning this communication or earlier communications from the

Art Unit: 2177

examiner should be directed to Mohammad Ali whose telephone number is (703) 605-4356. The examiner can normally be reached on Monday to Thursday from 7:30am-4:30pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703) 305-9790 or TC 2100 customer service (703) 306-5631. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

Mohammad Ali

Patent Examiner

April 21, 2003


JEAN P. HOMERE
PRIMARY EXAMINER